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Attorney for Defendant
Austreberto Santamaria-Valencia

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AUSTREBERTO SANTAMARIA-
VALENCIA ,

Defendant.

Case No.: 2:21-CR-0079-TLN

**STIPULATION AND ORDER TO
EXCLUDE TIME**

Date: April 18, 2024
Time: 9:30 a.m.
Hon. Troy L. Nunley

STIPULATION

1. By previous order, this matter was set for status on April 18, 2024.
2. By this stipulation, defendant now moves to continue the status conference until May 16, 2024, at 9:30 a.m., and to exclude time between April 18, 2024, and May 16, 2024, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a.) The government has produced the discovery associated with this case

1 including, among other things, investigative reports, photographs, and video recordings.

2 b.) Counsel for defendant desires additional time to consult with his client, to
3 review the current charges, to conduct an investigation and research related to the charges,
4 to review discovery for this matter, to discuss potential resolutions with his client, and to
5 prepare pretrial motions.
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7 c.) Defense counsel believes that failure to grant the above-requested
8 continuance would deny counsel the reasonable time necessary for effective preparation,
9 taking into account the exercise of due diligence. The government has recently proposed
10 an offer to resolve this case and defense counsel needs time to review that offer with his
11 client, in light of the evidence in this case, and determine their strategy.
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13 d.) The government does not object to the continuance.
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15 e.) Based on the above-stated findings, the ends of justice served by continuing
16 the case as requested outweigh the interest of the public and the defendant in a trial
17 within the original date prescribed by the Speedy Trial Act.
18

19 f.) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. §
20 3161, et seq., within which trial must commence, the time period of April 18, 2024 to
21 May 16, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A),
22 B(iv) [Local Rule T4] because it results from a continuance granted by the Court at
23 defendant's request on the basis of the Court's findings that the ends of justice served by
24 taking such action outweigh the best interest of the public and the defendant in a speedy
25 trial.
26
27

28 4. Nothing in this stipulation and order shall preclude a finding that other provisions

1 of the Speedy Trial Act dictate that additional time periods are excludable from the period
2 within which a trial must commence.

3 IT IS SO STIPULATED.

4 Date: April 16, 2024

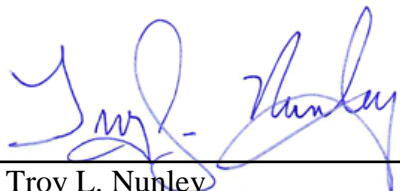
5 /s/ Matthew C. Smith
6 MATTHEW C. SMITH
7 Attorney for Defendant
Austreberto Santamaria-Valencia

8 Date: April 16, 2024

9 /s/ James R. Conolly
10 James R. Conolly
11 Assistant United States Attorney

12 **FINDINGS AND ORDER**

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14 IT IS SO FOUND AND ORDERED this 16th day of April, 2024.
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19 Troy L. Nunley
20 United States District Judge
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